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MARIA QUINTO-COLLINS, ANDREI CARLOS
QUINTO, and ISABELLA COLLINS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIA QUINTO-COLLINS, et al.,

Plaintiffs,

v.

CITY OF ANTIOCH, et al.,

Defendants.

CASE NO.: 3:21-cv-06094-AMO

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' CROSS MOTION FOR
SUMMARY JUDGMENT AND DENYING
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT**

Time: 2:00 p.m.

Date: December 14, 2023

Dept.: Courtroom 10, 19th Floor

Judge: Araceli Martinez-Olguin

1 This matter came on regularly for hearing on December 14, 2023, before the Honorable Judge
2 Araceli Martinez-Olguin, in Courtroom 10 of the above entitled court.

3 Upon reviewing and considering Plaintiffs' Cross Motion for Summary Judgment and hearing
4 argument of the parties in the hearing on this matter, and GOOD CAUSE APPEARING, IT IS
5
6 HEREBY ORDERED THAT:

7 1) Defendants' Motion for Summary Judgment is denied in its entirety.

8 2) Plaintiffs' Cross Motion for Summary Adjudication of issues regarding the *Graham* factors
9 that are not in dispute and favor Plaintiffs is granted. That is, the undisputed evidence and the
10 Defendants' admissions establish that: 1) the Defendant Officers violated Plaintiffs' constitutional
11 rights by failing to place Angelo Quinto in a recovery position once he was successfully detained,
12 handcuffed, and was nonresponsive to the Officers' questions; and 2) Angelo Quinto's death was
13 caused by the Defendant Officers' conduct.
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15 IT IS SO ORDERED.

16 Dated:
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19 Honorable Araceli Martinez-Olguin, Judge
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